

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JABBAR COLLINS,

ORDER

Plaintiff,

05-CV-5595 (NGG) (LB)

-against-

THE CITY OF NEW YORK; THE NEW YORK
CITY DEPARTMENT OF PROBATION; and
DAVID H. YIN, individually and as Assistant General
Counsel for the New York City Department of
Probation,

Defendants.

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GARAUFIS, District Judge.

Jabbar Collins (“Collins”), who is incarcerated, alleges that his constitutional rights were violated (1) when officials in the Brooklyn District Attorney’s Office (“DAO”) persuaded officials in the New York City Department of Probation (“DOP”) to terminate probation-violation proceedings against two men who testified against Collins during a criminal trial and (2) when Collins was denied access, after his conviction, to DOP records that document or are otherwise relevant to the alleged communications between DAO and DOP. Before the court is Defendants’ motion to dismiss this case pursuant to Fed. R. Civ. P. 12(b)(6).

This court referred Defendants’ motion to the Honorable Lois Bloom, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). (Order dated February 7, 2007.) Judge Bloom recommended that this court grant Defendants’ motion and dismiss this case in its entirety. (Report and

Recommendation dated March 9, 2007.) Collins objected to Judge Bloom's recommendation in its entirety. (Collins Br. dated May 16, 2007.) This court must therefore consider *de novo* the motion to dismiss. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

This court has reviewed Collins' Second Amended Complaint, Defendants' brief in support of their motion to dismiss, Collins' brief opposing that motion, Defendants' reply brief in further support of that motion, Judge Bloom's Report and Recommendation, Collins' objections to the Report and Recommendation, Defendants' responses to Collins' objections, and Collins' reply in further support of his objections. This court has considered *de novo* all issues raised in those documents.¹

For the reasons set forth in Judge Bloom's thorough and well-reasoned Report and Recommendation, this court grants Defendants' motion to dismiss. The Report and Recommendation of Judge Bloom dated March 9, 2007 is approved, adopted, and ratified in its entirety by this court. Defendants' motion to dismiss is GRANTED in its entirety. This case is DISMISSED in its entirety with prejudice. The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: August 23, 2007
Brooklyn, N.Y.

/s/ Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge

¹ Defendants argue that Collins' objections to Judge Bloom's Report and Recommendation were untimely. For the purpose of deciding the motion now before the court, that argument is rejected and Collins' objections are deemed to have been timely filed.